

Mandatory and Presumptive Sentences Reference Table

Statute	Offense	Prerequisite or Conditions	Minimum Duration
169A.24, subd. 1(2)	Driving while Intoxicated	Prior Felony DWI	Grid Time
169A.24, subd. 1(3)	Driving while Intoxicated	Prior Criminal Vehicular Operation Minn. Stat. § 609.21.1(2) thru (6)	Grid Time
152.021	Controlled Substance Crime 1st Degree	Prior felony conviction per chapter Minn. Stat. § 152 or finding under Minn. Stat. § 152.18	48 Months
152.022	Controlled Substance Crime 2nd Degree	Prior felony conviction per chapter Minn. Stat. § 152 or finding under Minn. Stat. § 152.18	36 Months
152.023, subd. 3(a)	Controlled Substance Crime 3rd Degree	Prior felony conviction under Minn. Stat. § 152 or finding under Minn. Stat. § 152.18	Grid Time *
152.023, subd. 3(b)	Controlled Substance Crime 3rd Degree	Prior felony conviction under Minn. Stat. § 152 or finding under Minn. Stat. § 152.18	24 months
243.166, subd. 5(b)	Violation of Predatory Offender Registration		Grid Time
243.166, subd. 5(c)	Violation of Predatory Offender Registration – Subsequent offense	Prior felony Violation of Predatory Offender Registration	24 Months
609.1095, subd. 3	Dangerous Offender – 3rd Violent Felony	Statute Cited	Grid Time
609.221, subd. 2(b)	Assault 1st Degree, Deadly Force - Peace Officer or Correctional Employee		120 Months
609.221 – 609.2231	Assault	Must commit during “Term of Imprisonment” portion of executed sentence	Grid Time
609.3455, subd. 3a	Dangerous (Engrained) Sex Offender	Statute Cited	At least double the Grid Time
609.485	Escape	Offense committed during “Term of Imprisonment” portion of executed sentence	Grid Time
609.582, subd. 1(a)	Burglary 1st Degree	Prior felony burglary	Grid Time *

This table is for convenience when applying mandatory sentences (section 2.E) and presumptive sentences (section 2.C). It is not exhaustive.

- Presumptive disposition. Commitment.
- Presumptive duration. Mandatory minimum or the duration in the appropriate cell on the applicable Grid, whichever is longer.
- Attempts and Conspiracies. Mandatory sentences generally apply to attempted offenses under Minn. Stat. § 609.17 and conspiracies under Minn. Stat. § 609.175. Mandatory minimums are not divided in half. The presumptive duration is the mandatory minimum duration found in statute or one-half of the duration in the appropriate cell on the applicable Grid, whichever is longer. (See section 2.G for more information on convictions for attempts, conspiracies and offenses with other sentence modifiers.)

* Presumptive commitment per Guidelines section 2.C.

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